

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
MIDDLE DIVISION

**KRISTY STEPHENS, and
DON WILLIAMS,**

Plaintiff,
v. **Civil Action No. _____**
ALTON HOPKINS and C.C. JONES, INC,
Defendant.

NOTICE OF REMOVAL

TO THE HONORABLE JUDGES IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE:

COME NOW the Defendants Alton Hopkins (“Defendant Hopkins”) and C.C. Jones, Inc.
 (“Defendant C.C. Jones”), by and through counsel, and respectfully aver as follows:

1. On August 27, 2021 Plaintiffs Kristy Stephens (“Plaintiff Stephens”) and Plaintiff
Don Williams (“Plaintiff Williams”) commenced a civil action against Defendant C.C. Jones and
Defendant Hopkins in the Circuit Court for Davidson County, Tennessee. Copies of Plaintiffs’
Complaint and Summons are attached hereto collectively as **Exhibit A**.

2. The Complaint, being the original process in this case, was first received by
Defendant C.C. Jones no earlier than December 28, 2021, and was served on Defendant Hopkins
no earlier than January 26, 2022.

3. This personal-injury lawsuit arises out of an automobile accident alleged to have
occurred near the intersection of South Cartwright Street and Long Hollow Pike, which is
located within the boundaries of Davidson County, Tennessee. See Ex. A, Compl. ¶ 4.

4. Plaintiffs seek damages in the cumulative amount of \$300,000 See Ex. A, Compl. at ¶ 5.

5. At all times material hereto, Plaintiff Stephens and Plaintiff Williams were and area citizens and residents of the State of Tennessee. See Ex. A, Compl. ¶¶ 1.

6. At all times material hereto, Defendant Hopkins was and is a citizen and resident of the State of Arkansas. See Ex. A, Compl. ¶ 2.

7. At all times material hereto Defendant C.C. Jones was and is a corporation formed under the laws of the State of Arkansas with its principal place of business in Arkansas.

8. Diversity of citizenship within the meaning of 28 U.S.C. § 1332 exists in this case since:

- (a) Plaintiffs were and are citizens and resident of the Tennessee;
- (b) Defendant Hopkins was and is a citizen and resident of the State of Arkansas.
- (c) Defendant C.C. Jones was and is a resident and citizen of the State of Arkansas.

10. Furthermore, diversity of citizenship existed at the time the action sought to be removed was commenced and continues through the time of filing of this notice, such that Defendants are entitled to removal pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1446.

11. Additionally, jurisdiction is proper in this Court pursuant to 28 U.S.C. § 1332 since, based on the nature of the injuries alleged by Plaintiffs in the Complaint along with Plaintiffs' prayer for relief in the amount of ten million dollars (\$300,000.00), the amount in controversy exceeds the sum of \$75,000.00.

12. It has been less than thirty (30) days since Defendant Hopkins was served with the Summons and Complaint.

13. Defendant Hopkins and C.C. Jones desires and consents to the removal the above-captioned action, now pending in the Circuit Court of Davidson County, Tennessee, to this Honorable Court pursuant to 28 U.S.C. § 1446.

WHEREFORE, Defendants Hopkins and C.C. Jones prays that the above-captioned action, now pending in the Circuit Court Davidson County, Tennessee, be removed to this Honorable Court.

Respectfully submitted,

s/ Lee L. Piovarcy
Lee L. Piovarcy (Tenn. Bar No. 8202)
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Attorneys for Defendants C.C. Jones, Inc. and Alton Hopkins

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that a copy of the foregoing has been served upon counsel for the Plaintiff, via electronic mail and regular mail, postage pre-paid on this the 23rd day of February, 2022.

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s/ Lee L. Piovarcy _____